

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

|                          |   |  |
|--------------------------|---|--|
| UNITED STATES OF AMERICA | ) |  |
|                          | ) | Case No. 1:17-cr-97                    |
| v.                       | ) |  |
|                          | ) | Judge Travis R. McDonough              |
| DAVID POPE               | ) |  |
|                          | ) | Magistrate Judge Christopher H. Steger |
|                          | ) |  |

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**ORDER**

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United States Magistrate Judge Christopher H. Steger filed a report and recommendation (Doc. 23) recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Counts Two and Six of the six-count Indictment; (2) accept Defendant's guilty plea as to Counts Two and Six of the six-count indictment; (3) adjudicate Defendant guilty of possession with intent to distribute heroin in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and possession of a firearm in furtherance of a drug trafficking crime in violation of Title 18, United States Code, Section 924(c)(1)(A)(i); and (4) order that Defendant remain in custody until sentencing in this matter. Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Steger's report and recommendation. Accordingly, the Court **ACCEPTS** and **ADOPTS** the magistrate judge's report and recommendation (Doc. 23) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Counts Two and Six of the six-count Indictment is **GRANTED**;

2. Defendant's plea of guilty to Counts Two and Six of the six-count Indictment is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of possession with intent to distribute heroin in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C), and possession of a firearm in furtherance of a drug trafficking crime in violation of Title 18, United States Code, Section 924(c)(1)(A)(i); and
4. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **May 18, 2018, at 9:00 a.m.** before the undersigned.

**SO ORDERED.**

*/s/Travis R. McDonough*

**TRAVIS R. MCDONOUGH  
UNITED STATES DISTRICT JUDGE**